

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**BOARD OF ZONING ADJUSTMENT**



Application No. 12991, of Avyeris and Elly Andonyadis, pursuant to Paragraph 8207.11 of the Zoning Regulations, for a variance from the off-street parking requirements (Sub-section 7202.1) to use all floors of the subject premises as an apartment house consisting of three units in an R-5-B District at the premises 2007 Kalorama Road, N.W. (Square 2540, Lot 38).

HEARING DATE: July 25, 1979  
DECISION DATE: August 8, 1979

FINDINGS OF FACT:

1. The subject property is located on the north side of Kalorama Road between Connecticut Avenue and 20th Street, N.W. It is in an R-5-B District.
2. The subject site is rectangular in shape, contains 2,625 square feet of land area, and is improved with a three story plus basement brick semi-detached dwelling.
3. The subject premises is presently used as a flat under Certificate of Occupancy No. B-70874, dated July 15, 1969.
4. The applicant proposes to renovate the basement of the building, which is presently used for storage, into a dwelling unit. This would increase the number of units in the building from two to three, and would change the building from a flat to an apartment house. Such a use is permitted as a matter-of-right.
5. Article 72 requires that one off-street parking space be provided for the increase in the number of dwelling units on the property. The applicants propose to provide no off-street space, and therefore request a variance from the off-street parking requirements.
6. The property is adjoined on the west by a semi-detached dwelling. Abutting the property to the east is another semi-detached dwelling. To the north are the rear yards of properties which front on 20th Street. There is no alley access to the rear yard of the subject site.

7. The side yard of the subject dwelling is only seven feet wide, which is less than the nine foot minimum width of a parking space established by the Zoning Regulations.

8. In front of the property in public space, is a utility pole and a large oak tree. In addition, there is a two foot retaining wall separating the front lawn of the house from the level of the sidewalk and street.

9. The applicant presented testimony and evidence that on-street parking is available in the area, as is good public transportation. The Board so finds.

10. The Office of Planning and Development, by memorandum dated July 19, 1979 and by testimony presented at the hearing, recommended that the application be approved. The OPD stated that the applicant experiences a substantial difficulty in accommodating an off-street parking space because of the narrowness of the site and limited access to the property. The OPD was of the opinion that the requested variance relief would not be detrimental to the public good nor substantially impair the intent, purpose and integrity of the Zoning Regulations and Maps. The Board concurs with the findings of the OPD.

11. Advisory Neighborhood Commission - 1C did not file a written report on the application. The ANC Commissioner from the single member district within which the site is located testified at the hearing in support of the application.

12. There was no opposition to the application.

CONCLUSIONS OF LAW AND OPINION:

The Board concludes that the requested variance is an area variance, which requires the showing of an exceptional situation or condition of the property which creates practical difficulty upon the owner. The Board concludes that the lack of access to the rear yard, the narrow width of the side yard, the difference in elevation between the front yard and the street and the presence of a utility pole and a large tree combine to create the exceptional condition and practical difficulty upon the owner. The Board concludes that it is impossible as a practical matter to provide parking on this property. The Board notes the position of the OPD and the ANC Commissioner and the lack of opposition and concludes that the granting of the variance would not be detrimental to the public good nor substantially impair the intent and purpose of the Zoning Regulations and Maps. It is therefore Ordered that the application is GRANTED.

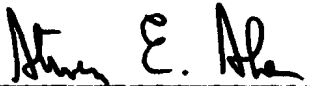
VOTE: 4-0 (Charles R. Norris, Chloethiel Woodard Smith, Leonard L. McCants and William F. McIntosh to GRANT).

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BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:



STEVEN E. SHER  
Executive Director

FINAL DATE OF ORDER: 9 OCT 1979

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF LICENSES, INVESTIGATIONS, AND INSPECTIONS.